

CITY COUNCIL REPORT



Meeting Date: January 26, 2016
General Plan Element: *Land Use*
General Plan Goal: *Support a diversity of businesses.*

ACTION

Restaurant Liquor License Request for Kyoto 122-LL-2015. To consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location and new owner.

OWNER

Kyoto Scottsdale at the Waterfront, LLC

APPLICANT CONTACT

Randy D. Nations

LOCATION

7170 E Stetson

BACKGROUND

This request is for a Series 12 (restaurant) liquor license. This has been a licensed location since 1997.

APPLICANT'S PROPOSAL

The applicant is seeking a favorable recommendation on a Series 12 (restaurant) liquor license. This allows the holder of a restaurant license to sell and serve spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent (40%) of its total revenue from the sale of food. The applicant has indicated that this establishment will serve liquor between the hours of 11:00 a.m. to 11:00 p.m.; however, due to State liquor license processing requirements, they are not required to notify the City or the State if they change their hours of operation.

IMPACT ANALYSIS

Reliability and Location

A.R.S. Section 4-203.A and R19-1-702 Granting a License for a New Owner for a Certain Location.

The capability, qualifications and reliability of the applicant has been shown.

Restaurant.

A.R.S. Section 4-205.02 and R19-1-206 Criteria for Restaurant Operations.

This owner intends to operate this location as a restaurant according to the applicant's responses to the State's Restaurant Operation Plan categories: Personnel, Equipment, Menu, Live Entertainment, Bar Games/Televisions, Name of Establishment, Bar Seating Area and Dinnerware. This establishment is 4,000 sq. ft. in size. The bar service area is 87 sq. ft. or 2% of gross floor area, and the kitchen area is 600 sq. ft. or 15% of the gross floor area. The operational characteristics and floor plan qualify as a restaurant.

Zoning.

This site is zoned Central Business District Downtown Overlay (C-2 DO). The C-2 DO district allows restaurants. The applicant has been notified of the City's expectation that the business will continue to operate as a restaurant as defined by City Code.

Public Safety

Police Department: Recommendation No Opposition

Major life safety issues: None noted.

Code Enforcement: There are no current cases of code violations at this time in relation to the liquor license.

Public Notice and Proximity

A.R.S. Section 4-201.B. Petitions from Persons in Close Proximity.

The applicant has maintained the required posting notice for the State mandated 20-day period. No petitions or protests were received during the 20 (twenty) day posting period.

COUNCIL OPTIONS & STAFF RECOMMENDATION

Council Options

The City Council has the option of recommending approval, disapproval or no recommendation to the Arizona Department of Liquor Licenses and Control.

Staff Recommendation

The City of Scottsdale staff has conducted a review and advises that the license request meets the criteria imposed for determining the capability, qualifications and reliability of the applicant.

Next Steps

The City Council's recommendation of approval, disapproval or no recommendation will be forwarded to the Department of Liquor Licenses and Control for their consideration. If the application is approved by the Department of Liquor Licenses and Control, the applicant should receive their license from the State within 105 days of original application.


RESPONSIBLE DEPARTMENT(S)

Teri Gleason, Planning Assistant, tgleason@scottsdaleaz.gov
Planning and Development Services

Joseph LeDuc, Lieutenant, jleduc@scottsdaleaz.gov
Public Safety Division

Raun Keagy, Neighborhood Planning Director, rkeagy@scottsdaleaz.gov
Planning and Development Services

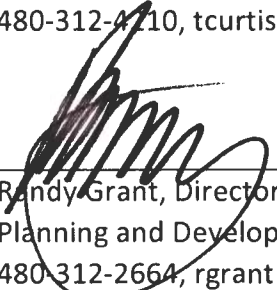
APPROVED BY



Tim Curtis, AICP, Current Planning Director
480-312-4210, tcurtis@scottsdaleaz.gov

12/30/2015

Date



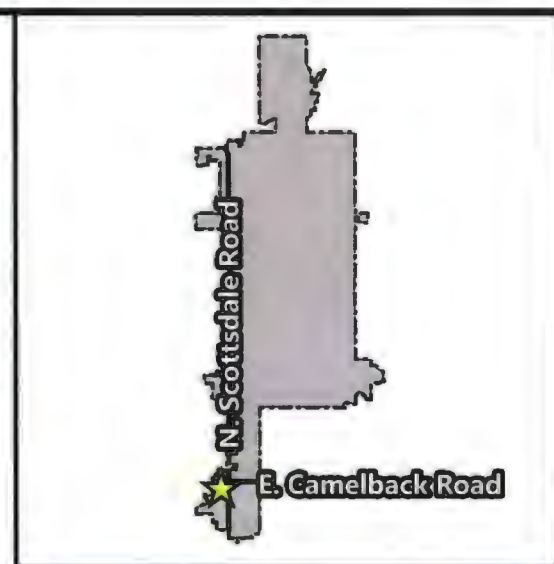
Randy Grant, Director
Planning and Development Services
480-312-2664, rgrant@scottsdaleaz.gov

1/7/16

Date

ATTACHMENTS

- #1: Map
- #2: City of Scottsdale Applicant Questionnaire
- #3: State Application



122-LL-2015

Kyoto



Liquor License Questionnaire

Restaurants & Bars (Series 11, 12, 6, 3, 7, 13)

Please complete all questions and return within 3 business days.

Name of Business: Kyoto

Business Address: 7170 E Stetson Dr

Total Gross Square Footage of Establishment: 4,000

Was liquor sold at this location prior to this application? ☐ Yes ☒ No

If **yes**, what type of license? _____

Is this business currently open? ☐ Yes ☒ No

If **yes**, is this business operating with an Interim license? ☐ Yes ☐ No

If **no**, what is the proposed opening date? 1/15/2016

Is this business under construction or being remodeled? ☒ Yes ☐ No

Does this business have an existing patio? ☐ Yes ☒ No Dimensions of patio _____

Does this business have a proposed patio? ☐ Yes ☒ No Dimensions of patio _____

For Restaurants, Bars and Restaurants/Bars:

Will the bar service area be in excess of 15% of the gross floor area? ☐ Yes* ☒ No

Gross square footage of bar service area: 87
(includes the floor area under indoor and outdoor bars and the floor area behind the bars used for storage, prep and serving of food or drinks)

Will the kitchen be less than 15% of the gross floor area? ☐ Yes* ☒ No

Gross square footage of kitchen: 600
(do not include refrigerators or areas used for storage of food or beverages)

During what hours will the establishment provide full kitchen service? 11am- 11pm

During what hours will the establishment offer liquor sales? 11am-11pm

Will age verification be required/requested for admittance at any time during business operations? ☐ Yes* ☒ No

Is a cover charge required for admittance at any time during business operations? ☐ Yes* ☒ No

Will less than 40% of gross revenues be derived from the sale of prepared food? ☐ Yes* ☒ No

*May require a Conditional Use Permit

Please check **one** of the following that best describes the primary business operation:

☐ packaged retail ☒ restaurant ☐ bar ☐ personal service ☐ education service

☐ manufacturing ☐ hotel / tourist accommodation ☐ residential facility ☐ sports / theater

Planning and Development Services

7447 E. Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ Phone: 480-312-7000 ♦ Fax: 480-312-7088



Liquor License Questionnaire

Restaurants & Bars (Series 11, 12, 6, 3, 7, 13)

Please complete all questions and return within 3 business days.

Will this business feature any of the following:

Patron Dancing?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No	Karaoke?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No
Live Bands?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No	DJ?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No
Amplified music?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No	Games?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No
Adult Entertainment?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No	Four or more pool tables?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No
After hours?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No			

*May require a Conditional Use Permit

Applicant Narrative:

ARS 4-201-G: In all proceedings before the governing body of a city or town, the Board of Supervisors of a County or the Board, the applicant bears the burden of showing that the public convenience requires and that the best interest of the community will be substantially served by the issuance of this license.

- I have the capability, qualifications and reliability to hold a liquor license because:
All our employees will be trained in responsible liquor service and will go through regular audits to ensure they comply.
- The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
We would like the ability to serve our patrons a drink with their meal if they choose to have one.
- Please describe your business:
Casual dining restaurant

The City's forwarding of a recommendation to the AZ Department of Liquor Licenses and Control does not waive and is not a substitute for the Licensee's obligation to comply with all state, local and federal laws, policies and regulations applicable to the license. The Recommendation is not a permit or regulatory approval to hold any events or construct or demolish any improvements. Zoning processes, building permit processes, and similar regulatory requirements may apply to Licensee's contemplated Improvements and are completely separate from the Recommendation. Licensee shall be responsible to, separate and apart from this Recommendation, directly obtain all necessary permits and approvals from any and all governmental or other entities including the City's having standing or jurisdiction over the subject areas. For more information regarding zoning processes, building permit processes, and similar regulatory requirements and approvals please call 480-312-2611.

Print Name: Miranda Bustamante Signature:  Date: 12/22/15

Submit

Planning and Development Services

7447 E. Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7088



15 DEC 14 11:47 AM 3 49

Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007
www.azliquor.gov
(602) 542-5141

Application for Liquor License
Type or Print with Black Ink

SECTION 1 This application is for a:

- ☐ Interim Permit (Complete Section 5)
☒ New License (Complete Sections 2, 3, 4, 13, 14, 15, 16)
☐ Person Transfer (Complete Section 2, 3, 4, 12, 13, 14, 16)
☐ Location Transfer (Bars and Liquor Stores Only)
(Complete Section 2, 3, 4, 11, 13, 14, 16)
☐ Probate/ Will Assignment/ Divorce Decree
(Complete Sections 2, 3, 4, 9, 13, 14, 16)
(Fee not required)
☐ Government (Complete Sections 2, 3, 4, 10, 13, 16)
☐ Seasonal

SECTION 2 Type of Ownership:

- ☐ J.T.W.R.O.S. (Complete Section 6)
☐ Individual (Complete Section 6)
☐ Partnership (Complete Section 6)
☐ Corporation (Complete Section 7)
☒ Limited Liability Co (Complete Section 7)
☐ Club (Complete Section 8)
☐ Government (Complete Section 10)
☐ Trust (Complete Section 6)
☐ Tribe (Complete Section 6)
☐ Other (Explain) _____

122-LL-2015

SECTION 3 Type of license

LICENSE #

1207A492

1. Type of License: Series 12

APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE

A service fee of \$25 will be charged for all dishonored checks (A.R.S. § 44-6852)

SECTION 4 Applicants

1. Individual Owner/Agent's Name: Nations Randy D.
Last First Middle

P1002484

2. Owner Name: Kyoto Scottsdale at the Waterfront LLC
(Ownership name for type of ownership checked on section 2)

B1055775

3. Business Name: Kyoto
(Exactly as it appears on the exterior of premises)

B1010186

4. Business Location Address: 7170 E. Stetson Dr. Scottsdale Arizona 85251 Maricopa
(Do not use PO Box) Street City State Zip Code County

5. Mailing Address: PO Box 2502 Chandler Arizona 85244
(All correspondence will be mailed to this address) Street City State Zip Code

6. Business Phone: 480-990-9374 Daytime Contact Phone: 480-730-2675

7. Email Address: miranda@azlic.com

8. Is the Business located within the incorporated limits of the above city or town? ☒ Yes ☐ No

9. Does the Business location address have a street address for a City or Town but is actually in the boundaries of another City, Town or Tribal Reservation? ☐ Yes ☒ No

If Yes, what City, Town or Tribal Reservation is this Business located in: _____

10. Total Price paid for Series 6 Bar, Series 7 Beer & Wine Bar or Series 9 Liquor Store (license only) \$ _____

Fees: <u>100⁰⁰</u>	Department Use Only <u>50⁰⁰</u>	<u>22⁰⁰</u>	\$ <u>172⁰⁰</u>
Application	Interim Permit	Site Inspection	Finger Prints
Is Arizona Statement of Citizenship & Alien Status for State Benefits complete? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Accepted by: <u>CS</u>	Date: <u>12/14/15</u>	License # <u>1207A492</u>	
Total of All Fees			

SECTION 5 Interim Permit

- If you intend to operate business when your application is pending you will need an interim permit pursuant to ARS § 4-203.01
- There **MUST** be a valid license of the same type you are applying for currently issued to the location or for the replacement of a Hotel/Motel license with a Restaurant license pursuant to A.R.S. § 4-203.01.

1. Enter license number currently at the location: _____
2. Is the license currently in use? ☐ Yes ☐ No If no, how long has it been out of use? _____

Attach a copy of the license currently issued at this location to this application.

I, _____ declare that I am the CURRENT OWNER, AGENT, OR CONTROLLING
(Print Full Name) PERSON on the stated license and location.

X _____
(Signature)

State _____ County of _____
The foregoing instrument was acknowledged before me this

_____ day of _____
Day Month Year

My Commission Expires on: _____
Date

(Signature of Notary Public)

SECTION 6 Individual, Partnership, J.T.W.R.O.S, Trust, Tribe Ownerships

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE, AN "APPLICANT" TYPE FINGERPRINT CARD AND \$22 PROCESSING FEE FOR EACH CARD.

Individual

Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code

Is any person other than above, going to share in profit/losses of the business? ☐ Yes ☐ No

If Yes, give name, current address, and telephone number of person(s). Use additional sheets if necessary.

Last	First	Middle	Mailing Address	City	State	Zip Code	Phone #

Partnership

Name of Partnership: _____

General-Limited	Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code
<input type="checkbox"/> <input type="checkbox"/>								
<input type="checkbox"/> <input type="checkbox"/>								
<input type="checkbox"/> <input type="checkbox"/>								
<input type="checkbox"/> <input type="checkbox"/>								

J.T.W.R.O.S (Joint Tenant with Rights of Survivorship)

Name of J.T.W.R.O.S: _____

Last	First	Middle	Mailing Address	City	State	Zip Code

SECTION 6 - continued**TRUST**

Name of Trust: _____

Last	First	Middle	Mailing Address	City	State	Zip Code

TRIBE

Name of Tribal Ownership: _____

Last	First	Middle	Mailing Address	City	State	Zip Code

SECTION 7 Corporations/ Limited Liability Co

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE AN "APPLICANT" TYPE FINGERPRINT CARD AND \$22 PROCESSING FEE FOR EACH CARD.

☐ Corporation Complete Questions 1, 2, 3, 4, 5, 6, and 7☒ L.L.C. Complete Questions 1, 2, 3, 4, 5, 6, and 71. Name of Corporation/ L.L.C.: Kyoto Scottsdale at the Waterfront LLC2. Date Incorporated/Organized: 04/30/15 State where Incorporated/Organized: Arizona3. AZ Corporation or AZ L.L.C File No: L20024737 Date authorized to do Business in AZ: 05/04/154. Is Corp/L.L.C. Non Profit? ☐ Yes ☒ No

5. List Directors, Officers, Members in Corporation/L.L.C.:

Last	First	Middle	Title	Mailing Address	City	State	Zip Code
Yee	Erik	Young	Member	4525 N. 66th St. #96	Scottsdale	Arizona	85251

(Attach additional sheet if necessary)

6. List all Stockholders / percentage owners who own 10% or more:

Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code
Yee	Erik	Young	100%	4525 N. 66th St. #96	Scottsdale	Arizona	85251

(Attach additional sheet if necessary)

7. If the corporation/ L.L.C are owned by another entity, attach an Organizational **FLOWCHART** showing the structure of the ownership. Attach additional sheets as needed in order to disclose the Officers, Directors, Members, Managers, Partners, Stockholders and percentage owners of those entities.

SECTION 8 Club Applicants

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE, AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$22 PROCESSING FEE FOR EACH CARD.

1. Name of Club: _____

2. Is Club non-profit? ☐ Yes ☐ No

3. List all controlling members (minimum of four (4) requested)

Last	First	Middle	Mailing Address	City	State	Zip Code

(Attach additional sheet if necessary)

SECTION 9 Probate, Will Assignment or Divorce Decree of an existing Liquor License

1. Current Licensee's Name: _____
(Exactly as it appear on the license) Last First Middle

2. Assignee's Name: _____
Last First Middle

3. License Type: _____ License Number: _____

ATTACH TO THIS APPLICATION A CERTIFIED COPY OF THE WILL, PROBATE DISTRIBUTION INSTRUMENT, OR DIVORCE DECREE THAT SPECIFICALLY DISTRIBUTES THE LIQUOR LICENSE TO THE ASSIGNEE.

SECTION 10 Government (for cities, towns, or counties only)

1. Government Entity: _____

2. Person/Designee: _____
First Last Middle Day time Contact Phone #

A SEPARATE LICENSE MUST BE OBTAINED FOR EACH PREMISE FROM WHICH SPIRITUOUS LIQUOR IS SERVED.

SECTION 11 Location to Location Transfer: Series 6 Bar, Series 7 Beer & Wine Series 9 Liquor Stores only)

1. Current Business: Name: _____

Address: _____

(Exactly as it appears on license)

2. New Business: Name: _____

Address: _____

3. License Type: _____ License Number: _____

SECTION 12 Person to Person Transfer

Questions to be completed by Current Licensee (Bar and Liquor Stores Only- Series, 06, 07, and 09)

1. Individual Owner / Agent Name: _____ Entity: _____
Last First Middle (Individual, Agent, Etc)

2. Ownership Name: _____
(Exactly as it appears on license)

3. Business Name: _____
(Exactly as it appears on license)

4. Business Location Address: _____
Street City State Zip

5. License Type: _____ License Number: _____

6. Current Mailing Address: _____
Street City State Zip

7. Have all creditors, lien holders, interest holders, etc. been notified? ☐ Yes ☐ No

8. Does the applicant intend to operate the business while this application is pending? ☐ Yes ☐ No

If yes, complete Section 5 (**Interim Permit**) of this application; attach fee, and current license to this application.

9. I, (Print Full Name) _____ hereby authorize the department to process this Application to transfer the privilege of the license to the applicant provided that all terms and conditions of sale are met. Based on the fulfillment of these conditions, I certify that the applicant now owns or will own the property rights of the license by the date of issue.

I, (Print Full Name) _____, declare that I am the **CURRENT OWNER, MEMBER, PARTNER STOCKHOLDER or LICENSEE** of the stated license. I have read the above Section 12 and confirm that all statements are true, correct, and complete.

X _____
(Signature of CURRENT Individual Owner/Agent)

NOTARY

State of _____ County of _____
State County

The foregoing instrument was acknowledged before me this _____ day of _____, _____
Day Month Year

My commission expires on _____
Day/ Month/Year Signature of NOTARY PUBLIC

SECTION 13 Proximity to Church or School

Questions to be completed by all in-state applicants EXCLUDING those applying for a Series 5 Government, Series 11 Hotel/Motel, and Series 12 Restaurant licenses.

A.R.S. § 4-207 (A) and (B) state that no retailer's license shall be issued for any premises which are at the time the license application is received by the director, within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a public or private school building with kindergarten programs or grades one (1) through (12) or within three hundred (300) horizontal feet of a fenced recreational area adjacent to such school building. The above paragraph DOES NOT apply to:

a) Restaurant license (§ 4-205.02)

b) Hotel/motel license (§ 4-205.01)

c) Government license (§ 4-205.03)

d) Fenced playing area of a golf course (§ 4-207 (B)(5))

1. Distance to nearest School: _____ Name of School: _____
(If less than one (1) mile note footage)

Address: _____

2. Distance to nearest Church: _____ Name of Church: _____
(If less than one (1) mile note footage)

Address: _____

SECTION 14 Business Financials

1. I am the: ☒ Lessee ☐ Sub-lessee ☐ Owner ☐ Purchaser ☐ Management Company

2. If the premise is leased give lessors:

Name: Kyoto Scottsdale at Waterfront LLC

Address: 7170 E. Stetson Dr. Scottsdale AZ 85251
Street City State Zip

3. Monthly Rent/ Lease Rate: \$ 5,000.00

4. What is the remaining length of the lease? 7 yrs 0 months

5. What is the penalty if the lease is not fulfilled? \$ _____ or other: Still owe term

(Give details-attach additional sheet if necessary)

6. Total money borrowed for the Business not including lease? \$ 598,000.00

Please List Lenders/People you owe money to for business.

Last	First	Middle	Amount Owed	Mailing Address	City	State	Zip
Comerica Bank			598,000.00	4545 N. Scottsdale Rd. #106	Scottsdale	AZ	85251

(Attach additional sheet if necessary)

7. What type of business will this license be used for (be specific)?

Restaurant

8. Has a license or a transfer license for the premises on this application been denied by the state with in the past (1) year? ☐ Yes ☒ No If yes, attach explanation.

9. Does any spirituous liquor manufacture, wholesaler, or employee have an interest in your business? ☐ Yes ☒ No

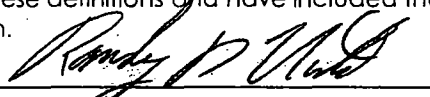
10. Is the premises currently license with a liquor license? ☐ Yes ☒ No

If yes, give license number and licensee's name:

License #: _____ Individual Owner /Agent Name: _____
(Exactly as it appears on license)

SECTION 15 Restaurant or hotel/motel license applicants

1. Is there an existing Restaurant or Hotel/Motel Liquor License at the proposed location? ☐ Yes ☒ No
2. If the answer to Question 1 is YES, you may qualify for an Interim Permit to operate while your application is pending; consult A.R.S. § 4-203.01; and complete SECTION 5 of this application.
3. All Restaurant and Hotel/Motel applicants must complete a Restaurant Operation Plan form provided by the Department of Liquor Licenses and Control.
4. As stated in A.R.S. § 4-205.02. (H)(2), a Restaurant is an establishment which derives at least forty (40) percent of its gross revenue from the sale of food. Gross revenue is the revenue derived from sales of food and spirituous liquor on the licensed premises. By applying for this ☒ Restaurant ☐ Hotel/Motel, I certify that I understand that I must maintain a minimum of forty (40) percent food sales based on these definitions and have included the Restaurant Hotel/Motel Records Required for Audit form with this application.


(Applicant's Signature)

5. I understand it is my responsibility to contact the Department of Liquor Licenses and Control to schedule an inspection when all tables and chairs are on site, kitchen equipment, and, if applicable, patio barriers are in place on the licensed premises. With the exception of the patio barriers, these items are not required to be properly installed for this inspection. Failure to schedule an inspection will delay issuance of the license. If you are not ready for your inspection 90 days after filing your application, please request an extension in writing; specify why the extension is necessary; and the new inspection date you are requesting.


(Applicant's Initials)

SECTION 16 Diagram of Premises

Check ALL boxes that apply to your business:


- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Entrances/Exits | <input checked="" type="checkbox"/> Liquor storage areas | Patio: <input type="checkbox"/> Contiguous |
| <input type="checkbox"/> Walk-up windows | <input type="checkbox"/> Drive-through windows | <input type="checkbox"/> Non Contiguous |

1. Is your licensed premises currently closed due to construction, renovation or redesign? ☒ Yes ☐ No
If yes, what is your estimated completion date? 02/01/16

Month/Day/Year

2. Restaurants and Hotel/Motel applicants are required to draw a detailed floor plan of the kitchen and dining areas including the locations of all kitchen equipment and dining furniture. Place for diagram is on section 16 number 6.
3. The diagram (a detailed floor plan) you provide is required to disclose only the area(s) where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored on the premises unless it is a restaurant (see # 3 above).
4. Provide the square footage or outside dimensions of the licensed premises. Please do not include non-licensed premises such as parking lots, living quarters, etc.

As stated in A.R.S. § 4-207.01 (B), I understand it is my responsibility to notify the Department of Liquor Licenses and Control when there are changes to the boundaries, entrances, exits, added or deleted doors, windows, service windows or increase or decrease to the square footage after submitting this initial diagram.


(Applicant's Initials)

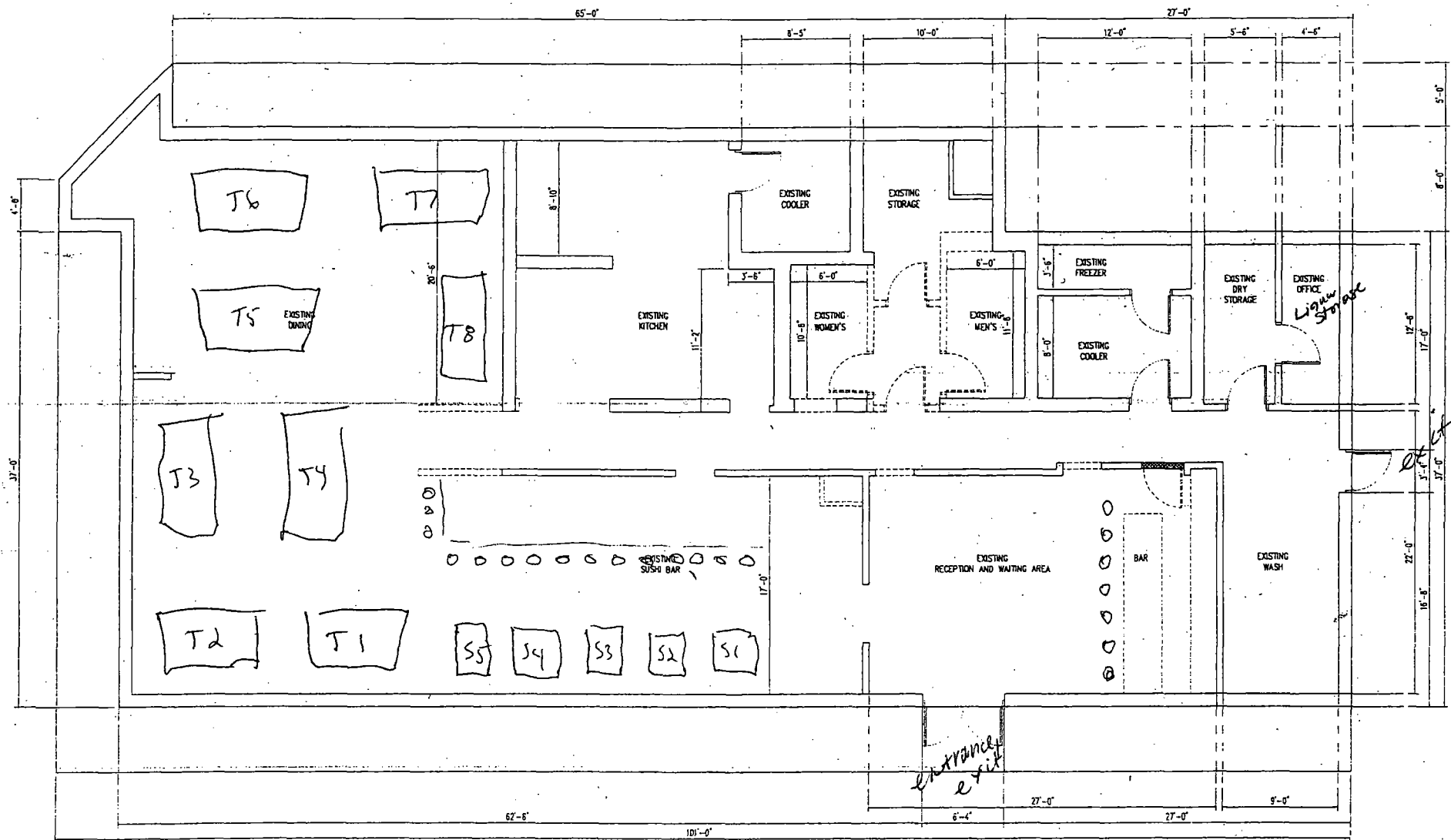
SECTION 16 Diagram of Premises – continued

6. On the diagram please show only the areas where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored. It must show all entrances, exits, interior walls, bars, hi-top tables, dining tables, dining chairs, dance floor, stage, game room, and the kitchen. DO NOT include parking lots, living quarters, etc. When completing diagram, North is up ↑.

If a legible copy of a rendering or drawing of your diagram of the premises is attached to this application, please write the words "DIAGRAM ATTACHED" in the box provided for the diagram on the application.

DIAGRAM OF PREMISES

Diagram attached



SECTION 17 SIGNATURE BLOCK

I, (Print Full Name) Randy D. Nations, hereby declare that I am the Owner/Agent filing this application as stated in Section 4 # 1. I have read this application and verify all statements to be true, correct and complete.

X (Signature) 

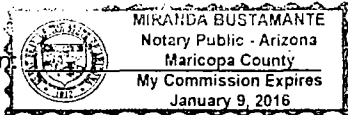
State of Arizona County of Maricopa

The foregoing instrument was acknowledged before me this

10th of December, 2015

Day Month Year

My commission expires on




Signature of NOTARY PUBLIC

A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.

Menu for Kyoto Japanese Restaurant

Nigiri

1 Order 2 Pieces

Tuna 3.00

10 reviews 1 photo

Yellow Tail 3.00

1 review 1 photo

Salmon 3.00

7 reviews 2 photos

Sea Eel 3.00

Fresh Water Eel 4.00

Shrimp 3.00

5 reviews 1 photo

Octopus 3.50

2 reviews

White Fish 3.00

3 reviews

Squid 3.50

Mackerel 3.00

Sea Urchin 4.00

Salmon Egg 3.00

Flying Fish Egg 3.00

Egg 3.00

Albacore 3.00

Raw Shrimp 3.00

Scallop 4.00

6 reviews 1 photo

Hoki Clam 3.00

Futomaki Roll 4.50

1 review

Cucumber Roll	2.50
Tuna Roll 2 reviews	3.00
Yellow Tail Roll	3.00
California Roll 2 reviews	3.75
Eel & Cucumber Roll	3.50
Alaskan Roll	4.50
Rainbow Roll 3 reviews 2 photos	7.00
Philadelphia Roll	5.00
Shrimp Tempura Roll	5.00
Caterpillar Roll 3 reviews	7.00
Dynamite 3 reviews	7.00
Chimichanga	7.00
Green Mussels 1 review	5.00
Tako Salad 2 reviews	5.00
Tuna Sashimi 1 photo	5.00
Yellow Tail Sashami	5.00
Octopus Sashami	4.75
Squid Sashimi	4.75
White Fish Sashimi	5.00
Salmon Sashimi 1 photo	5.00

Sushi Lunch Special

Includes: Miso Soup and Tea (Sashimi with Rice)

Sushi Lunch	12.95
5 pcs. Sushi and 1 California roll	
Sushi Deluxe	16.95
7 pcs. Sushi and 1 California roll	
Sashimi Lunch	15.95
13 pcs. raw fish	
2 reviews	
Sashimi Deluxe	17.95
13 pcs. raw fish and spicy tuna	
Sushi & Sashimi	23.95
5 pcs. sushi and 10 pcs. sashimi	
Chirashi	15.95
10 pcs. sashimi, egg oshiko and sushi rice	
Chirashi Deluxe	17.95
10 pcs. sashimi, egg oshiko and sushi rice and spicy tuna	
Teka Don	20.95
7 pcs. tuna sashimi and spicy tuna on sushi rice	
California Maki	12.95
3 california rolls	
Tuna Maki	13.95
3 Tuna rolls	
1 review	
Maki Combo	12.95
Tuna roll, california roll, salmon roll	
Spicy Maki	16.95
Spicy tuna roll, Spicy california roll, Spicy salmon roll	
Tuna Sushi Lunch	16.95
7 pcs. tuna roll	
Salmon Sushi Lunch	15.95
7 pcs. salmon	
Extra Orders	
Fried Rice	4.00
9 reviews	

Fried Noodles**4.00****Chicken**5 Oz.**6.00**

14 reviews

2 photos

Filet Mignon5 Oz.**10.50****Lobster Tail**5 Oz. Lobster Tail**12.00****Shrimp**7 pc**8.00**

5 reviews

1 photo

Desserts**Tempura Ice Cream****4.50****Ice Cream****2.00****Mochi Ice Cream****4.00****Soups****Miso Soup****1.75**

Prepared soybean, tofu, seaweed, scallion

7 reviews

3 photos

Clear Soup**1.75**

Light fish soup

House Soup**3.00**

Miso soup, chicken, tofu, vegetables and scallion

Wonton Soup**4.50**

Pork dumplings in seafood in light soup

Seafood Soup**7.00**

Assortment of seafood in light soup

Baby Clam Soup**5.00**

Baby clam in miso soup

Noodles Soup**4.00**

Japanese noodles with light soup

Salads**Green Salad****2.00**

Served with house ginger dressing

Seaweed Salad**5.00**

Seaweed with sesame sauce

2 reviews

Hijiki Salad

5.00

Cooked black seaweed

Squid Salad

7.00

Cooked thinly sliced squid with sesame vinegar sauce

3 reviews

California Salad

6.00

Cucumber, crab stick, avocado, fish roe with Japanese mayonnaise

Seafood Salad

7.00

Assortment of seafood 7 vegetables with ponzu sauce

Spinach Salad

4.50

Steamed salmon skin and cucumber mixed with ponzu sauce

Salmon Skin Salad

4.50

Broiled Salmon skin and cucumber mixed with ponzu sauce

Lobster Salad

12.00

Cucumber, Steamed lobster meat, roa with Japanese mayonnaise

Hot Appetizers

Yakitori

2 skewers 5.00

Broiled chicken and vegetable on skewers

Yaki Squid

5.50

Broiled squid with teriyaki sauce

Yaki Shrimp

2 skewers 8.00

Broiled shrimp on skewers

Negimaki

8.50

Broiled scallion on wrapped in shell steak w. teriyaki sauce

Hamachi Kema

1 pc 8.00

Broiled yellow tail neck with eel sauce

Seafood Dynamite

12.00

Broiled crabstick, scallop, and tobiko with spicy mayonnaise

Young Soybean

4.50

Steamed green young soybean

Spicy Mussels

6 pcs 12.00

Broiled green mussels with spicy mayonnaise and all sauce

Shumai	7 pcs	5.50
Steamed shrimp dumpling		
Gyoza	6 pcs	5.50
Pan fried pork dumplings		
Spring Roll		5.50
Deep fried Japanese spring roll		
Fried Oysters		8.00
Deep fried oyster served w. tonkatsu sauce		
Fried Shrimp		5.50
Deep fried shrimp served w. tonkatsu sauce		
Fried Squid		6.00
Deep fried squid served w. tonkatsu sauce		
Tempura		6.00
Batter fried vegetables & shrimp		
3 reviews		
Soft Shell Tempura		10.00
Batter fried soft shell crab served w. tempura sauce		
Spicy Shrimp Tempura		8.50
Shrimp tempura mix with spicy mayonnaise & roe		
Cold Appetizers		
Jalapeno Yellow Tail		12.00
Thin yellow tail and jalapeno served w. special sauce		
Kyoto Cocktail		12.00
Spicy tuna, Avocado, salmon roe served w. special sauce		
Green Phine		12.00
Thin avocado wrapped spicy tuna inside served w. ponzu sauce		
Spicy Sweet Shrimp		14.00
Sweet shrimp mix w. spicy mayonnaise & roe		
Spicy Tuna		12.00
Chopped tuna mix w. spicy mayonnaise & roe cucumber		
3 reviews		
Spicy Salmon		10.00
Chopped salmon mix w. spicy mayonnaise & roe cucumber		

Tuna Tataki	12.00
Thin tuna, cucumber, spicy radish served w. ponzu sauce	
Fulk Usuzukuri	10.00
Thin fulk, cucumber, spicy radish served w. ponzu sauce	
Beef Sashimi	10.00
Thin steak, cucumber, spicy radish served w. ponzu sauce	
Sunomo	7.50
Octopus, salmon, crabstick, cucumber served w/ ponzu sauce	
Tako Sunomo	8.00
Octopus, cucumber served w. ponzu & spicy radish	
Tuna Tarutaru	12.00
Thin tuna, cucumber served w. dynomi mayonnaise	
salmon Tarutaru	10.00
Thin salmon, cucumber served w. dynomi mayonnaise	

Itame (Sauteed)

Served with Salad, Soup

Yaki Soba	15.50
Sauteed buckwheat noodles w. vegetables & chicken	
Yaki Seafood Soba	19.50
Sauteed shrimp(4), scallop(4), vegetables w. Japanese buckwheat noodles	
Yaki Udon	15.50
Sauteed chicken, vegetables & Japanese Udon noodles	
Yaki Seafood Udon	19.50
Sauteed shrimp(4), scallop(4), vegetables w. Japanese udon noodles	

Noodle and Nabe

Served with Salad Soup, Rice and Tea

Beef Sukiyaki	
Thinly sliced N.Y. strip steak, vegetables & tofu noodles cooked w. sukiyaki sauce & served on a hot pot	
Chicken Sukiyaki	
Thinty sliced white meat chicken, vegetables & tofu noodles cooked w. sukiyaki sauce 7 served on a hot pot	
Salmon Sukiyaki	
Salmon and vegetable tofu & noodles	

Nabe Yaki Udon

Chicken, vegetable, noodles, egg & shrimp cooked in a hot pot

Tempura Udon

4 pcs. shrimp & 4 pcs. vegetable tempura & Japanese noodles in broth

Dumpling Udon

8 pcs. dumpling 7 Japanese noodles in broth

Cold Tempura Soba

4 pcs. shrimp tempura, cold buckwheat noodles

Tempura (Deep Fried)

Served with Salad, Soup, Rice

Assorted Tempura

6 pcs. Shrimp and 8 pcs. vegetable

Shrimp Tempura

10 pcs. Shrimp only

2 reviews

Seafood Tempura

6 pcs. Shrimp, 4 pcs scallops, 4 pcs. fish

Lobster Tempura

(2) 5oz. Lobster tails and 8 pcs. vegetable

Soft Shell Crab Tempura

2 Jumbo soft shell crab

1 review

Chicken Tempura

6 pcs. white meat chicken and 8 pcs. vegetable

Vegetable Tempura

16 pcs. vegetables

Chicken Tempura

Deep fried 10 oz. white meat

Pork katu

Deep fried 10 oz. pork

Fish kastu

Deep fried 10 oz. white meat fish

Teriyaki

Broiled with teriyaki sauce. Served with Salad, Soup and Rice

Filet Mignon Teriyaki	22.95
10 oz. FDA Choice	
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Beef Teriyaki	19.95
10 oz. New York Strip	
1 photo	
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Beef Negimaki	19.95
10 pcs. Thin Steak wrapped with scallions	
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Chicken Teriyaki	15.95
11 oz. White meat chicken	
5 reviews	
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Salmon Teriyaki	17.95
12 oz. Salmon steak	
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Shrimp Teriyaki	17.95
15 pcs. of tiger shrimp	
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Scallop Teriyaki	17.95
10 oz. Sea scallops	
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Lobster Teriyaki	27.95
10 oz. Cold deep sea lobster tail	
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Umagi Teriyaki	18.95
8 oz. Eat	
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Seafood Combo Teriyaki	18.95
5 oz. Sea scallop and 7 pcs. shrimp	

Combination Bondon

Served with Salad Soup and Rice

A. Plate	90.95
4 pc. Sushi or Classic Roll, Chicken Teriyaki, Seaweed Salad, Shrimp, Vegetable tempura, Orange	
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B. Plate	21.95
1/2 Futo Roll or Classic Roll. Beef Teriyaki, Gyoza, Seaweed Salad, Orange	
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Children's Plate	14.95
12 years or under. Chicken Teriyaki, Tempura Gyoza	

From Sushi Bar

Served with Green Salad, Soup and Rice (w. sushimi only) and Tea

Sushi Regular	22.95
8 pcs. Assortment of sushi and 2 pcs choice sushi (no uni or yellow tail)	

Sushi Deluxe	26.95
10 pcs. of sushi and 2 pcs choice sushi (no uni)	
Tuna Sushi Dinner	26.95
10 pcs. of tuna sushi	
Salmon Sushi Dinner	24.95
10 pcs. of salmon sushi	
Tuna & Yellow Tail Sushi	30.95
5 pcs. tuna sushi and 5 pcs. of yellow tail sushi	
Sashimi Regular	24.95
Mixed 18 pcs. of sashimi (no yellow tail)	
Sashimi Deluxe	29.95
Mixed 18 pcs. of sashimi and spicy tuna	
Tuna Sashimi Diluxe	32.95
15 pcs tuna sashimi only	
Tuna & Yellow Tail	34.95
9 pcs. Tuna, 6 pcs. yellow tail sashimi	
Chirashi	24.95
13 pcs. assortment of sashimi, pickled, egg & sushi rice on box	
Chirashi Deluxe	29.95
13 pcs. assortment of sashimi, pickled, egg, fish roe, & spicy tuna on box	
Tekka Don	32.95
10 pcs. tuna, spicy tuna and sushi rice on box	
Sushi & Sashimi Combo	32.95
6 pcs. Sushi and 13 pcs. of sashimi ans spicy tuna	
Special Roll Dinner	25.95
Dragon roll, rainbow roll, dynamite roll	
Happy Maki Dinner	25.95
4 Classic rolls of your choice	
Sushi & Sashimi	For 254.95
8 pcs. Sushi, 2 rolls and 2 hand rolls	
Sushi Love Boat	For 250.95
10 pcs. Sushi, 3 rolls, and 2 hand rolls California or salmon skin	

Sashimi Love BoatFor **258.95**

3 pcs. of 12 kinds of fresh fish and spicy tuna sashimi, and 2 pcs. fish roe

Sushi / Sashimi

Baby OctopusSushi (1 pc)**2.50**Sashimi (2 pc)**5.00****Crabstick**Sushi (1 pc)**1.50**Sashimi (2 pc)**3.00****Egg Omelet**Sushi (1 pc)**1.50**Sashimi (2 pc)**3.00****Eel**

3 reviews

Sushi (1 pc)**2.50**Sashimi (2 pc)**5.00****Fluke**Sushi (1 pc)**2.00**Sashimi (2 pc)**4.00****Flying Fish Roe**Sushi (1 pc)**2.50**Sashimi (2 pc)**5.00****Hokki Clam**Sushi (1 pc)**2.50**Sashimi (2 pc)**5.00****Mackerel**Sushi (1 pc)**2.00**Sashimi (2 pc)**4.00****Octopus**

2 reviews

Sushi (1 pc)**2.50**Sashimi (2 pc)**5.00****Sea Trout**Sushi (1 pc)**2.00**Sashimi (2 pc)**4.00****Salmon**

7 reviews 2 photos

Sushi (1 pc)**2.50**Sashimi (2 pc)**4.00****Salmon (Tataki)**Sushi (1 pc)**3.00**Sashimi (2 pc)**5.50****Smoked Salmon**Sushi (1 pc)**2.50**Sashimi (2 pc)**6.00****Spicy Salmon**Sushi (1 pc)**2.50**Sashimi (2 pc)**6.00****Salmon Roe**Sushi (1 pc)**3.00**

	Sashimi (2 pc)	6.00
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Socallop	Sushi (1 pc)	2.75
	Sashimi (2 pc)	5.00
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Sea Urchin	Sushi (1 pc)	4.50
	Sashimi (2 pc)	9.00
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Shrimp	Sushi (1 pc)	2.00
5 reviews 1 photo	Sashimi (2 pc)	4.00
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Spicy Sweet Shrimp	Sushi (1 pc)	3.00
	Sashimi (2 pc)	6.00
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Squid	Sushi (1 pc)	2.00
	Sashimi (2 pc)	4.00
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Tuna	Sushi (1 pc)	2.75
10 reviews 1 photo	Sashimi (2 pc)	5.00
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Spicy Tuna	Sushi (1 pc)	3.00
3 reviews	Sashimi (2 pc)	5.50
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Tuna (Tataki)	Sushi (1 pc)	3.00
	Sashimi (2 pc)	5.50
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Toro	Sushi (1 pc)	7.00
	Sashimi (2 pc)	14.00
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White Tuna	Sushi (1 pc)	2.50
	Sashimi (2 pc)	5.00
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White Tuna (tataki)	Sushi (1 pc)	3.00
	Sashimi (2 pc)	5.50
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Yellow Tail	Sushi (1 pc)	3.50
1 review 1 photo	Sashimi (2 pc)	6.50
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Classic Roll		
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Alaska Roll		2.50
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Boston Roll		5.00
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Mickey Roll		5.50
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Sjrimp & Crab		5.50
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California Roll 2 reviews	5.00
Spicy California	5.50
Christmas Roll	6.00
Eel & Cucumber	5.50
Eel Cream Cheese	6.00
Eel Special	6.00
Salmon Roll 1 review 1 photo	4.50
Spicy Salmon	5.50
Salmon Toro	6.00
New York Roll	5.50
Salmon Skin	5.00
Scallop Roll	6.00
Spicy Scallop	6.50
Scallop & Crab	6.50
Philadelphia Roll	5.50
Tuna Roll 2 reviews	5.00
Spicy Tuna Roll 2 reviews	6.00
Spicy White Tuna	6.00
Yellow Tail Scallion	6.00
Spicy Yellow Tail	7.00
Asparagus Roll	3.50
Avocado 3 reviews	3.50
Cucumber	3.00

Plum Cucumber	3.50
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Vegetable Roll	5.50
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Vegetable Dragon	9.00
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Sushi A La Carte

Tempura Roll

Boston Salmon	6.50
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Crab Tempura	5.50
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Shrimp Tempura	6.50
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2 reviews

1/2 Soft Shell	7.50
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Yellow Tail Tempura	7.00
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Sweet Potato Tempura	4.50
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Lobster Tempura	12.00
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Beijing Roll	14.00
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Dancing Roll	13.00
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Dancing Roll w/ Shr Temp	13.00
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Special Roll - No Rice

Crab Naruto	8.00
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Vegetable Naruto	10.00
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Tuna naruto	12.00
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Spicy Tuna Naruto	12.00
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Salmon Naruto	11.00
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Eel Naruto	12.00
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Naruto Special	14.00
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Spicy Suzen	12.00
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Chef's Special Roll

Dragon Roll	11.00
1 review	
Dragon / Shrimp Tempura	12.00
Dragon / Spicy Tempura	12.00
Rainbow	10.00
Rainbow / Eel	12.00
Rainbow / Spicy Tuna	12.00
Rainbow / Shrimp Tempura	12.00
Spicy Sanda	12.00
Spicy Sanda / Eel	12.00
Spicy Sanda / Spicy Tuna	12.00
Volcano Roll	12.00
2 reviews	
Volcano / Shrimp Tempura	14.00
Volcano / Eel	14.00
Y2K	11.00
Y2K / Shrimp Tempura	12.00
Y2K / Eel	12.00
Sunny Roll	11.00
Sunny / Eel	11.00
Sunny / Shrimp Tempura	12.00
Hong Kong	12.00
Hong Kong / Shrimp Tempura	12.00
Crazy Roll	13.00
Habe	16.00
Sakura	12.00

Leo	9.00
Kiss	12.00
Christmas In July	7.00
Rock 'n Roll	7.50
Lobster Roll (Steamed)	12.00
Dynamito Roll	6.00
Spicy Sweet Shrimp	7.00
1/2 Futo	6.00
1/2 Hana	7.50
1/2 Seafood	7.50
Angel Roll	14.00
Valentine Roll	12.00